



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

|  |             |                      |                              |                  |
|--|-------------|----------------------|------------------------------|------------------|
| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO. |
| 10/753,498   | 01/09/2004  | Soo Young Oh         | 0465-1538PUS1                | 6820             |
| 2292 7590 03/23/2007<br>BIRCH STEWART KOLASCH & BIRCH<br>PO BOX 747<br>FALLS CHURCH, VA 22040-0747 |             |                      | EXAMINER<br>HUSBAND, SARAH E |                  |
|  |             |                      | ART UNIT<br>1746             | PAPER NUMBER     |
| SHORTENED STATUTORY PERIOD OF RESPONSE   |             | NOTIFICATION DATE    | DELIVERY MODE                |                  |
| 3 MONTHS   |             | 03/23/2007           | ELECTRONIC                   |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/23/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

8

|                              |                               |                           |  |
|------------------------------|-------------------------------|---------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/753,498 | Applicant(s)<br>OH ET AL. |  |
|                              | Examiner<br>Sarah E. Husband  | Art Unit<br>1746          |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 December 2006.  
 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
     4a) Of the above claim(s) 8-10 and 13-18 is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-7, 11, 12, 19 and 20 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

#### Election/Restrictions

Applicant's election with traverse of claims 8-10 being readable on the elected species in the reply filed on 12/22/2007 is acknowledged. The traversal is on the ground(s) that claims 8-10 are not mutually exclusive from claim 1. This is not found persuasive because claim 1 is a generic claim, and claims 8-10 are drawn to specific embodiments described in Fig. 7 and 8, which were not the species elected. The species elected was Fig. 3-6, which applicant specifically stated claims 1-7 read upon this embodiment. Therefore, claims 8-10 will not be examined because they are directed to a non-elected species.

Applicant's arguments regarding claim 11 and 12 are persuasive. Claims 11 and 12 are generic claims and also read upon the elected species. However, Applicant's arguments regarding claims 13-18 are not persuasive. These claims are drawn to a non-elected species (Fig. 9) and do not read upon the elected species of (Fig. 3-6). These claims are distinctly directed to the non-elected embodiment and will continue to be withdrawn from consideration.

Therefore, claims 1-7, 11 and 12 are the original claims which will be examined at the current time. Claims 8-10 and 13-18 remain withdrawn from consideration. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

Applicant's arguments, see Remarks, filed 12/22/2006, with respect to the 103 rejections have been fully considered and are persuasive. The 103 rejection of claims 1-7 has been withdrawn. However, a new grounds of rejection is made over Eiermann (WO 03/055373).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4, 11, 12, 19 and 20 are rejected under 35 U.S.C. 102(a) as being anticipated by Eiermann (WO 03/055373) (description of figures taken from US Publication 2004/0261824).

Eiermann discloses a dishwasher, which is a type of washing machine, including a tub (2) and drum (16) Eiermann also discloses the steam dispenser (steam generator, 18, 7), circulation pump (17), a single spray nozzle (9), and back-current preventing branch unit which is connected to the steam generator by a steam supply line, connected to the circulation pump by a circulation line (see Fig. 2) and prevents circulation water supplied to the spray nozzle from flowing back to the steam supply or steam supplied to the nozzle from flowing back to the circulation line (Fig. 5, Items 27, 26, 24', 23'). Eiermann further discloses the spray device having a main body connected to the steam supply line and circulation line and a spray unit formed at the end, steam and circulation passages and a connection unit which the steam supply and circulation supply are connected (Fig. 5).

Figure 5 further discloses a back-current preventing plate (25') rotatably mounted by a hinge pin (seen in the figure) and the plate connecting with protrusions to maintain air-tightness.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eierman in view of Mandry (US Patent 1,646,299).

Eiermann discloses the washing machine in the above 102(a) rejection. Eiermann does not specifically disclose the nozzle having a flange, unit formed at the lower side of the flange, guide unit or the spray angles. Mandry discloses the nozzle having a flange and guide and the spray area is formed on a lower side (see Fig. 1, 3). The guide unit (15) directs the spray. Although Mandry does not specifically disclose the spray angles, it appears as though it would spray at 90-100° and be capable of having a 35° vertical spray angle. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Eiermann with Mandry for the benefit of a more precise and wider spraying.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah E. Husband whose telephone number is (571) 272-8387. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SEH



**MICHAEL BARR**  
**SUPERVISORY PATENT EXAMINER**